

Section 16.21.28 Telecommunication.

(5) Types of Antennas and Standards: CMRS facilities are characterized by the type or location of the antenna structure. There are five general types of antenna structures allowed by this ordinance as a Conditional Use: wall-mounted antennas; roof-mounted antennas; stealth facilities; Monopoles with a platform; and Monopoles without a platform. The minimum standard are as follows:

(a) Wall-mounted Antennas:

(i) Wall mounted antennas may not extend above the roof-line of the building or extend more than four (4) feet horizontally from the face of the building;

(ii) The antennas, equipment and supporting structures shall be painted to match the color of the background against which they are most commonly seen. Antennas and the supporting structures on the building shall be architecturally compatible with the building. Whip antennas are not allowed on a wall mounted antenna structure.

(b) Roof Mounted Antennas:

(i) The maximum height of a roof-mounted antenna shall be twelve feet (12') above the roof-line of the building.

(ii) Roof mounted antennas shall be located a least five feet (5') from the exterior wall of the building.

(iii) Roof mounted antennas may be mounted on top of existing penthouses or mechanical equipment rooms if the antennas and antenna support structures are enclosed or visually screened from view. The screening structure may not extend more than eight feet (8') above the existing roof line of the penthouse or mechanical equipment room.

(iv) Roof mounted antennas, equipment and supporting structures shall be painted to match the color of the background against which they are most commonly seen. Antennas and supporting structures shall be architecturally compatible with the building.

(c) Area Limitation for Wall and Roof Mounted Antennas: Buildings may have a combination of wall and roof mounted antennas. The total area for all wall and roof mounted antennas and supporting structures on any one building shall not exceed the lesser of fifty (50) square feet or 4% of each exterior wall of the building.

(d) Monopoles with no Platform:

(i) The maximum height of the monopole or monopole antenna shall be sixty feet (60') although the approving body may grant up to one hundred feet (100') if the location is not obtrusively visible from residential, commercial and any resort areas of the County, and the applicant has demonstrated to the satisfaction of the approving body that the additional height is necessary to obtain coverage or allow co-location, and the applicant has taken all reasonable steps to mitigate adverse effects on the surrounding neighborhood. The entire antenna structure mounted on the monopole shall not exceed three feet (3') in width.

(ii) Monopoles shall be set back a minimum of one hundred and fifteen percent (115%) of the height of the monopole from any residential lot line, measured from the base of the monopole to the nearest residential lot line.

(iii) Monopoles, antennas and related support structures shall be painted a neutral color or a color to match the background against which they are most commonly seen.

(e) Monopoles with Platform:

(i) The maximum height of the monopole or monopole antenna shall be sixty feet (60') although the approving body may, allow an antenna or antenna support structure up to one hundred feet (100') in height if the location is not obtrusively visible from residential, commercial and any resort areas of the County, and the applicant has demonstrated to the satisfaction of the approving body that the additional height is necessary to obtain coverage or allow co-location, and the applicant has taken all reasonable steps to mitigate adverse effects on the surrounding neighborhood. The entire antenna structure including the monopole shall not exceed twelve feet (12') in width, or one hundred twenty feet (120') in height.

(ii) Monopoles shall be set back a minimum of one hundred and fifteen percent (115%) of the height of the monopole from any residential lot line, measured from the base of the monopole to the nearest residential lot line.

(iii) Monopoles, antennas and related support structures shall be painted a neutral color or a color to match the background against which they are most commonly seen.

(iv) Monopoles and towers shall be located at least two thousand feet (2000') from each other, except upon a showing of necessity by the applicant, or upon a finding by the County that a closer distance would adequately protect the health, safety and welfare of the community and/or the shorter distance will be more visibly screened in a particular instance.

(v) Monopoles shall be located as unobtrusively as possible.

(f) Stealth Facilities: The height and location of a stealth facility shall be limited to the maximum height allowed in the zone, unless specially approved by the Planning Commission.

(6) The Planning Commission shall also consider the following:

(a) Height, mass and design of buildings and structures in the vicinity of the facility;

(b) Whether the facility is located relative to existing vegetation, topography and structures in a manner that optimizes the visual screening;

(c) The willingness of the applicant to co-locate its facility on the facility of another, or to allow others to co-locate on applicants facility on such terms and conditions as are common in the industry.

(7) Safety:

(a) Regulations: All operators of CMRS facilities shall comply with the rules and regulations of the Federal communications Commission (FCC) and the Federal Aviation Administration (FAA) regulations at all times. Failure to comply with the applicable regulations shall be grounds for revoking the conditional use permit approval.

(b) Licenses and Permits: Applicant will submit copies of all licenses and permits required by other agencies and shall maintain such licenses and permits in good standing and shall provide evidence of renewal thereof upon request by the county.

(c) All facilities shall be protected against unauthorized climbing by removing the climbing pegs from the lower twenty feet (20') of the facility.

(d) All facilities shall be fenced in accordance with the condition outlined in the Conditional Use Permit, unless such requirement is determined to be unnecessary in a particular instance.

(e) Monopoles and towers shall comply with the Airport Overlay zone requirements and the FAA requirements for height and lighting. If security lighting is used it shall not be allowed to trespass into any residential areas.

(8) Abandonment: the County may require the removal of all facilities if the facility has been inoperative or out of service for more than twelve (12) consecutive months.

(a) Notice: Notice to remove shall be given in writing by certified mail addressed to the operator=s last known address, or by personal service.

(b) Failure to remove the facilities after proper notice has been given, is a violation of the terms of this ordinance. The county may initiate criminal and/or civil legal proceedings and may seek a civil injunction requiring the removal of any structures. If the owner does not remove the facilities with the time period allowed in the notice, the County may remove the facilities and the owner shall be responsible for the costs thereof, and failure to remove the facilities after receiving notice to do so automatically transfers ownership of the facilities on the site to the County.

(9) Site Requirements:

(a) No outside storage or solid waste receptacles shall be permitted on the site.

(b) All electronic and other related equipment and appurtenances necessary for the operation of any CMRS facility shall, whenever practicable, be located within or on a lawfully pre-existing structure. When a new structure is required, the structure will be harmonious with and blend with the natural features and buildings surrounding such structure.

(c) The County requires a minimum of one parking space for facilities to allow for service of the facility.

(d) The CMRS facilities shall be maintained in a safe , neat and attractive manner.

(e) All sites with a CMRS facility shall be landscaped in accordance with zone requirements where the facility is located.

(2005-18, Amended, 03/09/2006, [Prior Text](#); 2003-22, Added, 11/24/2003, Effective Date 12/19/2003)